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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ASUS COMPUTER INTERNATIONAL, INC.

Plaintiff,) Civil Action No. 3:12-cv-02099-JST

V

ROUND ROCK RESEARCH, LLC.

**DECLARATION OF JUSTIN P.D. WILCOX IN
SUPPORT OF ROUND ROCK'S MOTION TO
STRIKE**

Defendant

BOUND ROCK RESEARCH, LLC

**DECLARATION OF JUSTIN P.D. WILCOX IN
SUPPORT OF ROUND ROCK'S MOTION TO
STRIKE**

Counterclaim Plaintiff.

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**ASUSTEK COMPUTER INC. AND
ASUS COMPUTER INTERNATIONAL**

Counterclaim Defendants

1 I, Justin P. D. Wilcox, declare:

2 1. I am admitted *pro hac vice* to this Court and an attorney with the law firm of
3 Desmarais LLP, counsel of record for Defendant and Counterclaim Plaintiff Round Rock Research,
4 LLC (“Round Rock”) in the above-captioned matter. I submit this declaration in connection with
5 Round Rock’s Motion To Strike Portions of ASUS’s Expert Reports. I am fully familiar with the
6 facts set forth below.

7 2. Attached hereto as Exhibit A is a true and correct copy of excerpts of the Expert
8 Report of Dr. R. Jacob Baker Regarding the Invalidity of U.S. Patent Nos. 7,279,353 and 6,765,276.
9 Exhibit A was served by ASUS on January 8, 2014. FILED UNDER SEAL

10 3. Attached hereto as Exhibit B is a true and correct copy of excerpts of the Expert
11 Report of Dr. R. Jacob Baker Regarding the Invalidity of U.S. Patent Nos. 6,570,791, 6,845,053, and
12 6,930,949. Exhibit B was served by ASUS Computer International and ASUSTeK Computer Inc.
13 (collectively “ASUS”) on January 8, 2014. FILED UNDER SEAL

14 4. Attached hereto as Exhibit C is a true and correct copy of excerpts of the Expert
15 Report of Dr. R. Jacob Baker Regarding Noninfringement of U.S. patent Nos. 6,570,791, 6,765,276,
16 6,845,053, 6,930,949, and 7,279,353. Exhibit C was served by ASUS on January 24, 2014. FILED
17 UNDER SEAL.

18 5. Attached hereto as Exhibit D is a true and correct copy of excerpts of the Rebuttal
19 Expert Report of Keith R. Ugone, PH.D. Exhibit D was served by ASUS Computer International and
20 ASUSTeK Computer Inc. (collectively “ASUS”) on January 24, 2014. FILED UNDER SEAL

21 6. Attached hereto as Exhibit E is a true and correct copy of Plaintiff and Counter
22 Defendant ASUS’s Preliminary Invalidity Contentions Pursuant to Patent Local Rules 3-3, 3-4, & 3-
23 5. Exhibit E was served by ASUS on November 8, 2012.

24 7. Attached hereto as Exhibit F is a true and correct copy of Exhibit A the Invalidity
25 Claim Chart against U.S. Patent No. 6,930,949 (“the ’949 Patent”) from Plaintiff’s Preliminary
26 Invalidity Contentions Pursuant to Patent Local Rules 3-3, 3-4, & 3-5. Exhibit F was served by
27 ASUS on November 8, 2012.

1 8. Attached hereto as Exhibit G is a true and correct copy of Exhibit B the Invalidity
2 Claim Chart against U.S. Patent No. 6,765,276 (“the ’276 Patent”) from Plaintiff’s Preliminary
3 Invalidity Contentions Pursuant to Patent Local Rules 3-3, 3-4, & 3-5. Exhibit G was served by
4 ASUS on November 8, 2012.

5 9. Attached hereto as Exhibit H is a true and correct copy of Exhibit C the Invalidity
6 Claim Chart against U.S. Patent No. 6,570,791 (“the ’791 Patent”) from Plaintiff’s Preliminary
7 Invalidity Contentions Pursuant to Patent Local Rules 3-3, 3-4, & 3-5. Exhibit H was served by
8 ASUS on November 8, 2012.

9 10. Attached hereto as Exhibit I is a true and correct copy of Exhibit E the Invalidity
10 Claim Chart against U.S. Patent No. 7,279,353 (“the ’353 Patent”) from Plaintiff’s Preliminary
11 Invalidity Contentions Pursuant to Patent Local Rules 3-3, 3-4, & 3-5. Exhibit I was served by
12 ASUS on November 8, 2012.

13 11. Attached hereto as Exhibit J is a true and correct copy of Exhibit F the Invalidity
14 Claim Chart against U.S. Patent No. 6,845,053 (“the ’053 Patent”) from Plaintiff’s Preliminary
15 Invalidity Contentions Pursuant to Patent Local Rules 3-3, 3-4, & 3-5. Exhibit J was served by
16 ASUS on November 8, 2012.

17 12. Attached as Exhibit K is a chart summarizing the references and combinations that
18 ASUS provided pursuant to Patent Local Rules 3-3, 3-4, & 3-5.

19 13. Attached as Exhibit L is a chart summarizing the paragraphs in which ASUS’s expert
20 reports contained: (1) new prior art references, new prior art combinations, or new invalidity theories
21 not disclosed in ASUS’s Invalidity Contentions; (2) references to documents that ASUS did not
22 produce during fact discovery and new theories based upon those documents that ASUS also did not
23 disclose during fact discovery; and (3) information that ASUS previously claimed is protected by the
24 attorney-client privilege.

25 14. Attached hereto as Exhibit M is a true and correct copy of a letter from K. Ringel to
26 P. Bondor dated January 24, 2014 regarding the production of documents bearing the bates numbers
27 ASUS-RR3-0175038 through ASUS-RR3-0177272.

15. Attached hereto as Exhibit N is a true and correct copy of Round Rock's Notice of Deposition pursuant to Rule 30(b)(6) served by Round Rock on September 12, 2013.

16. Attached hereto as Exhibit O is a true and correct copy of the deposition of Mr. Kuoping "Jacky" Lu taken on December 16, 2013 in Palo Alto, California. FILED UNDER SEAL

17. Attached hereto as Exhibit P is a true and correct copy of excerpts from the Tegra 2 Data Sheet bearing bates numbers ASUS-RR3-0175460 through ASUS-RR3-0177171 that was produced by ASUS on January 24, 2014.

18. Attached hereto as Exhibit Q is a true and correct copy of excerpts from the Technical Analysis performed by Chipworks bearing bates numbers ASUS-RR3-0175059 through ASUS-RR3-0175081 that was produced by ASUS on January 24, 2014. FILED UNDER SEAL

19. Attached hereto as Exhibit R is a true and correct copy of Round Rock Research LLC's First Set of Requests to ASUS for the Production of Documents and Things (Nos. 1-57) served by Round Rock on September 28, 2012.

20. Attached hereto as Exhibit S is a true and correct copy of ASUS's Supplemental Response to Round Rock's First Set of Interrogatories (No. 6) served by ASUS on December 4, 2013.

FILED UNDER SEAL

21. Attached hereto as Exhibit T is a true and correct copy of excerpts of the deposition of Mr. Howard E. Rhodes taken on December 12, 2013 in Palo Alto, California. FILED UNDER SEAL

22. Attached hereto as Exhibit U is a true and correct copy of correspondence sent by T. Chang to J. McDavit on December 10, 2013.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 14, 2014, in New York, New York.

/s/ Justin P.D. Wilcox

Justin P.D. Wilcox